

Message Text

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ACTION ACDA-10

INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 CIAE-00 INR-07
L-03 NSAE-00 NSC-05 EB-08 NRC-05 OES-07 DODE-00
SS-15 SP-02 PM-05 OIC-02 SSO-00 NSCE-00 INRE-00
AF-10 ARA-10 EA-07 NEA-10 /133 W
-----066912 100935Z /15

O 100654Z AUG 77
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 2864
INFO USERDA HQ WASHDC IMMEDIATE
USERDA HQ GERMANTOWN IMMEDIATE
USMISSION GENEVA IMMEDIATE

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USIAEA

DEPT PASS IO/SCT

GENEVA FOR USSALT TWO (MMCNEILL); ALSO FOR MISSION;

PASS CCD DEL

EO 11652: N/A
TAGS: IAEA, PARM, TECH
SUBJ: IAEA AD HOC ADVISORY GROUP ON NUCLEAR EXPLOSIONS FOR
PEACEFUL PURPOSES: INITIAL REPORT OF MEETING 9 AUGUST 1977.

REF: STATE 184387

1. DETAILED REPORTING ON RESULTS OF AM AND PM
MEETINGS 9 AUGUST WILL BE TRANSMITTED SEPTEL.
FOLLOWING ARE SEVERAL POINTS WHICH EMERGED FROM
9 AUGUST MEETINGS ON WHICH US REPS REQUIRE EARLY
INSTRUCTIONS.

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2. RE ITEM COVERED PARA5C OF INSTRUCTIONS REFTL,
AFTER DISCUSSION OF FRG PROPOSAL BY GROUP WITH US
REPS OPPOSING FRG, CHAIRMAN CALLED FOR THOSE
INTERESTED TO CONSULT. CONSULTATIONS BY US, UK, FRG
AND DIRECTOR LEGAL DIVISION ON FRG PROPOSAL FOR
TERMINOLOGY IN CHAPTER 8 PRODUCED AGREEMENT ON TERM

QUOTE ARRANGEMENTS END QUOTE, IN TITLE AND THROUGHOUT
TEXT OF CHAPTER 8. TERM QUOTE ARRANGEMENTS
END QUOTE WOULD BE DEFINED PARANTHETICALLY IN FIRST SENTENCE,
PARA 1 OF CHAPTER 8, TO INCLUDE QUOTE WHATEVER
INTERNATIONAL LEGAL INSTRUMENTS AND PROCEDURES MAY
BE CONSIDERED NECESSARY. UNQUOTE DURING GROUP DISCUSSION OF
THIS APPROACH, MEXICAN REP OBJECTED TO OMISSION OF
WORD QUOTE INTERNATIONAL END QUOTE, HE PROPOSED
QUOTE INTERNATIONAL ARRANGEMENTS END QUOTE BE
DEFINED IN FIRST SENTENCE PARA 1 AS STATED ABOVE AND
USED THROUGHOUT CHAPTER 8. MEXICAN APPROACH GAINED SUPPORT
FROM GROUP, AND GROUP HAS ACCEPTED THIS APPROACH
ON TENTATIVE BASIS. U.S. REPS BELIEVE MEXICAN
PROPOSAL, INCLUDING DEFINITION, IS ACCEPTABLE AND
REQUEST CONFIRMATION.

3. CONSIDERABLE CONTROVERSY EMERGED IN GROUP OVER
ITEM COVERED BY INSTRUCTIONS PARA 1 D REFTTEL. IN
EFFORT TO ACHIEVE CONSENSUS, AUSTRALIAN REP HAS FORMULATED
A LESS PROVOCATIVE SENTENCE WHICH WOULD REPLACE
FOURTH SENTENCE PARA 1 OF CHAPTER 1. PROPOSED
REPLACEMENT SENTENCE AS FOLLOWS: QUOTE NUCLEAR
EXPLOSIVE RELATED SERVICES ARE THOSE PNE PROJECT
SERVICES WHICH, TO ACHIEVE THE NON-PROLIFERATION
OBJECTIVES OF NPT, MUST BE CARRIED OUT ONLY BY A
NUCLEAR WEAPON STATE AS DEFINED IN NPT AND
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INCLUDE, INTER ALIA, CUSTODY, SECURITY, TRANSPORT,
EMPLACEMENT AND ARMING AND FIRING OF THE NUCLEAR
EXPLOSIVE DEVICE. END QUOTE. INDIAN REP HAS
TRANSMITTED THIS TEXT TO HIS GOVERNMENT FOR
INSTRUCTIONS. HE INDICATED THAT THE WORD QUOTE ONLY
END QUOTE MAY PRESENT PROBLEMS TO HIS GOVERNMENT.
US REPS REQUEST INSTRUCTIONS RE ACCEPTABILITY OF
THIS REPLACEMENT SENTENCE, BOTH AS PROPOSED BY
AUSTRALIAN REP, AND WITH DELETION OF THE WORD QUOTE
ONLY END QUOTE.

4. A. CHAPTER 8, PARA 5. THE INDIAN AND ARGENTINE
REPS HAVE STATED OPPOSITION TO THE DRAFT
TEXT OF PARA 5 AND SEVERAL REPS INCLUDING THE U.S.
HAVE EXPRESSED OPPOSITION TO THE INTRODUCTION OF
FOOTNOTES. AS AN ATTEMPT AT COMPROMISE THE AUSTRALIAN
REP HAS PROPOSED THE FOLLOWING TEXT TO REPLACE PARA 5
AND ANY INDIAN FOOTNOTE THERETO: QUOTE ALL ASPECTS
OF THE INTERNATIONAL ARRANGEMENTS MUST TAKE FULLY
INTO ACCOUNT THE FACT THAT THE NPT DOES NOT DRAW ANY
DISTINCTION BETWEEN THE PROLIFERATION OF NUCLEAR
WEAPONS OR OF QUOTE OTHER NUCLEAR EXPLOSIVE DEVICES UNQUOTE.

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B. THIS PROPOSAL WAS DISCUSSED BUT NO DECISIONS
MADE SINCE THE INDIAN, JAPANESE AND U.S. REPS
INDICATED THEY WOULD NEED TO SEEK INSTRUCTIONS.
U.S. REP MADE CLEAR ON RECORD OF PLENARY THAT
OUR CONSIDERATION OF THE PROPOSED WORDING AND
DELETION PRESENT PARA 5, IN NO WAY ALTERED OUR
POSITION THAT THE STATEMENT IN THE EXISTING
PARA 5 IS CORRECT.

C. IN U.S. REPS VIEW THE WORDING PROPOSED BY
AUSTRALIAN REP WOULD HAVE THE SAME CONSEQUENCES
AS THE CURRENT TEXT OF PARA 5 WITH RESPECT TO
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ANY LEGAL INSTRUMENTS OR OTHER ASPECTS OF ARRANGEMENTS TO WHICH CHAPTER 8 IS ADDRESSED. WE RECOMMEND ITS ACCEPTANCE AND DELETION OF PRESENT PARA 5 (AND ASSOCIATED FOOTNOTE), ALONG WITH OUT REPETITION FOR RECORD OF CONTINUED CONVICTION RE ACCURACY OF DELETED TEXT. INSTRUCTIONS ARE REQUESTED.

5. CHAPTER9. MEXICAN REP, WITH SUPPORT OF ARGENTINA AND ROMANIA, REQUESTED DELETION OF THE FOURTH AND FIFTH SENTENCES OF PARA 4 AND THE FIRST SENTENCE OF PARA 6. ARGUMENT WAS THAT THIS MATERIAL WAS SUBJECTIVE AND CONTENTIOUS. U.S. AND AUSTRALIAN REPS OBJECTED TO THESE DELETIONS ON BASIS THAT THEY WERE LEGITIMATE CHARACTERIZATIONS OF THE ALTERNATIVE LEGAL INSTRUMENTS AND SHOULD BE RETAINED. NO RESOLUTION OF THIS DIFFERENCE WAS ACHIEVED AND THE MATTER WAS DEFERRED TO THE AUGUST 10 MORNING MEETING. WE EXPECT DELETION OF FIRST SENTENCE PARA 11 WILL BE PROPOSED. REQUEST INSTRUCTIONS AS TO ACCEPTABILITY OF DELETIONS DESCRIBED ABOVE IF CONSENSUS DEVELOPS TO ACCEPT.LABOWITZ

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PEACEFUL NUCLEAR EXPLOSIONS, MEETING REPORTS, MEETINGS
Control Number: n/a
Copy: SINGLE
Sent Date: 10-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977VIENNA07243
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770287-0727
Format: TEL
From: VIENNA USIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770874/aaaacksh.tel
Line Count: 194
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: fe1fa45c-c288-dd11-92da-001cc4696bcc
Office: ACTION ACDA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 184387
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 13-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1639492
Secure: OPEN
Status: NATIVE
Subject: IAEA AD HOC ADVISORY GROUP ON NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES: INITIAL REPORT OF MEETING 9 AUGUST 1977.
TAGS: PARM, TECH, IAEA
To: STATE
Type: TE
vdkgvwkey: odbcc://SAS/SAS.dbo.SAS_Docs/fe1fa45c-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009